

FORTY-SECOND DAY.

Senate Chamber,
Austin, Texas,
March 25, 1935.

The Senate met at 2 o'clock, p. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Hill.

Committee Reports.

(See Appendix.)

Bills and Resolutions.**Senate Bill No. 460.****Conference Committee Report.**

Senator Moore sent up the following conference committee report on S. B. No. 460:

Committee Room,
Austin, Texas, April 25, 1935.
Hon. Walter F. Woodul, President of the Senate,
Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on S. B. No. 460,

Have had the same under consideration, and report to the Senate and the House that such be passed in the attached form.

MOORE,
HOLBROOK,
POAGE,
HILL,
DAVIS,

On the part of the Senate.

McCALLA,
FISHER,
KING,
MORSE,
CELAYA,

On the part of the House.

S. B. No. 460.

A BILL**To Be Entitled**

An Act amending Section 3 of Chapter 88, General Laws, Second Called Session, Forty-first Legislature, as amended by Section 1 of Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, so as to exempt motor vehicles, trailers and semi-trailers, owned and used exclusively in the service of any school district from the payment of license or registration fees to the State of Texas; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature, as amended by Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, being Article 6675a-3, Revised Statutes, be amended so as to hereafter read:

"Application for the registration of a vehicle required to be registered hereunder shall be made on a form furnished by the department, each such application shall be signed by the owner of the vehicle, and shall give his name and address in full, and shall contain a brief description of the vehicle to be registered. Said description, in case of a new motor vehicle, shall include: the trade name of the vehicle; the year model; the style, type of body and the weight; if a passenger car, or the net carrying capacity and gross weight if a commercial motor vehicle; the motor number; the date of sale by manufacturer or dealer to the applicant. The application shall contain such other information as may be required by the department. It is expressly provided that the owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application as hereinbefore directed, present the license receipt and transfer receipts, if any, issued for the registration or transfer of the vehicle for the preceding

calendar year, and said receipt or receipts shall be accepted by the county tax collector as an application for the renewal of the registration of the vehicle, provided said receipts show that the applicant is the rightful owner thereof. Provided, however, that should an owner or a claimed owner of a motor vehicle or automobile offer to register same, but has lost or misplaced the registration receipt or transfer, then upon his furnishing satisfactory evidence to the tax collector by affidavit or otherwise that he is the real owner of same, then shall it become the duty of the tax collector to issue him license therefor. It shall be the duty of the tax collector to date each registration receipt issued for the vehicle the same date that application is made for registration of such vehicle. Owners of motor vehicles, trailers and semitrailers, which are the property of, and used exclusively in the service of the United States Government, the State of Texas, or any county, city or school district thereof, shall apply annually to register all such vehicles, but shall not be required to pay the registration fees herein prescribed, provided that affidavit is made at the time of registration by a person who has the proper authority that such vehicles are the property of and used exclusively in the service of the United States Government, the State of Texas, or county or city or school district thereof, as the case may be. Application shall be made for the registration of a new vehicle for the unexpired portion of the year in which it is acquired before it is operated on the public highways; except that a new vehicle may be operated temporarily by a dealer under the dealer's license number or by its purchaser under a special dealer card-board number, as provided in Chapter 211, General and Special Laws of the Regular Session of the Fortieth Legislature. The year for the purpose of registration of motor vehicles shall be April 1st to March 31st (both inclusive) of the next succeeding calendar year, and may be referred to as the 'Motor Vehicle Registration Year,' and current year where used in the Statutes relating to payment of registration fees shall mean that Motor Vehicle Registration Year. Application

for the renewal of registration of a vehicle and for each chauffeur's license for any Motor Vehicle Registration Year shall be made not later than April 1st of such year."

Sec. 2. All laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Sec. 3. The importance of this Act and the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and that this Act be in force and take effect from and after its passage; and it is so enacted.

Senator Moore moved the adoption of the Conference Report on S. B. No. 460.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

Senate Bill No. 465.

Senator Moore sent up the following local bill:

By Senator Moore:

S. B. No. 465, A bill to be entitled "An Act to provide that in all counties having a population of 350,000 or more, according to the last preceding Federal census, upon petition of one hundred and fifty or more of the qualified voters of such county, the county judge of such county shall order an election for the purpose of submitting to the qualified voters of such county the question of whether or not a tax for school purposes not to exceed one cent on the one hun-

dred dollars valuation of taxable property in such counties shall be levied, assessed and collected for an equalization fund for the purpose of equalizing educational opportunities in such counties, and for the payment of administration expenses; providing for the calling of such election upon the presentation of such petition to the county judge, for notices, for the holding thereof, canvassing the returns and declaring the results; providing for the levy, assessment and collection of such tax if authorized by such vote; authorizing the county school trustees in such counties to determine the rate of such tax within the limit of this Act and providing for the expenditure thereof; providing for the method of payment of the county superintendent's salary and his expenses, out of the equalization fund and providing for the establishment of said fund, and providing for the election of seven trustees and fixing their terms of office, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Motion to Suspend Rule.

Senator Duggan received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—28.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

Senate Bill No. 466.

By Senator Duggan:

S. B. No. 466, A bill to be entitled "An Act to amend Article 4180, Re-

vised Civil Statutes of Texas, 1925, as amended by Acts 1929, Chapter 305, Forty-first Legislature, page 684, Section 1, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

S. C. R. No. 22.

Senator DeBerry received unanimous consent to suspend the regular order of business and to take up S. C. R. No. 22.

S. C. R. No. 22.

The Chair laid before the Senate on its second reading the following resolution:

By Senators Redditt and Pace:

S. C. R. No. 22, Relative to a joint committee of Forty-fourth Legislature to study the conditions relative to the production of cotton in the Southern States.

The names of all the Senators were added by unanimous consent.

BECK,	MOORE,
BLACKERT,	NEAL,
BURNS,	ONEAL,
COLLIE,	POAGE,
COTTEN,	RAWLINGS,
DAVIS,	REDDITT,
DeBERRY,	REGAN,
DUGGAN,	SANDERFORD,
FELLBAUM,	SHIVERS,
HILL,	SMALL,
HOLBROOK,	STONE,
HOPKINS,	SULAK,
HORNSBY,	VAN ZANDT,
HUGHSTON,	WESTERFELD,
MARTIN,	WOODRUFF.

Senator Pace sent up the following amendment:

Amend S. C. R. No. 22, by adding before the resolving clause the following:

"and whereas a study of the entire agricultural situation in Texas should be made at this time."

PACE,
REDDITT.

Read and adopted.

Senator Redditt sent up the following amendment:

Amend S. C. R. No. 22 by adding thereto the following paragraphs:

"Said committee shall have power and authority to employ and compensate all necessary employees, and it shall be the duty of said committee

to make and keep a record of its investigation."

"That said committee shall begin and complete its investigation and study at the earliest practicable moment and shall submit a report in writing as soon as possible and not later than the Forty-fifth Regular Session of the Legislature within thirty days after the convening thereof in regular session. The compensation and expenses herein provided for incident to such investigation and study shall be paid out of the appropriation for mileage and per diem and contingent expenses of the Forty-fourth Legislature, upon sworn account of persons entitled to such pay when approved by the chairman of said committee, and sufficient money is hereby appropriated out of the mileage and per diem and contingent fund of said Forty-fourth Legislature to meet the payment of expenses of the members of said committee and all necessary employees and other expenses incident to said investigation."

REDDITT,
PACE.

Read and adopted.

S. C. R. No. 22, as amended was adopted by viva voce vote.

Motion to Suspend Rule.

Senator Burns received unanimous consent to suspend the regular order of business and moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Poage.
Burns.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Moore.	Westerfeld.
Neal.	Woodruff.
Oneal.	

Nays—1.

DeBerry.

Absent—Excused.

Fellbaum.
Hughston.

Martin.

Senate Bill No. 467.

By Senators Burns, Beck, Poage, Stone, Cotten, Hill, Holbrook, Redditt, Blackert, Sanderford, and Van Zandt:

S. B. No. 467, A bill to be entitled "An Act providing for the establishment of a tuberculosis sanatorium for negroes to be known as the State Tuberculosis Sanatorium for Negroes; providing for its location; the acquisition by the State of land therefor, and the approval of the title to the land; authorizing the State to accept donations for said purpose; prescribing the kind, character and capacity of buildings to be erected thereon; prescribing the rules and regulations governing the conduct and operation of said sanatorium, and governing the admission of patients thereto and their classification and care; and declaring an emergency."

Read and referred to the Committee on Public Health.

Senate Bill No. 147.

Motion to Re-Commit.

Senator Woodruff moved to re-commit S. B. No. 147 to the Committee on Insurance for further consideration.

Senator Holbrook had the floor on discussion of the motion.

The Chair informed the Senator that the time for the discussion of the motion had expired.

Motion to Extend Time.

Senator Blackert asked unanimous consent that Senator Holbrook's time be extended ten minutes and that it not be deducted from the time for consideration of the motion.

Unanimous consent was granted.

Motion to Extend Time.

Senator Rawlings asked unanimous consent that the time of Senator Woodruff be extended.

Unanimous consent was granted.

Motion to Extend Time.

Senator Collie, Chairman of the Committee on Insurance, asked to be heard on the motion.

Senator Burns asked unanimous consent that the time be extended for

the discussion of the motion to allow Senator Collie to speak.

Unanimous consent was granted.

The question recurred on the motion to re-commit S. B. No. 147.

Motion to Table.

Senator Holbrook moved to table the motion to re-commit.

The motion to table lost by the following vote:

Yeas—10.

Blackert.	Redditt.
Burns.	Regan.
Duggan.	Sanderford.
Holbrook.	Small.
Hornsby.	Stone.

Nays—14.

Beck.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
DeBerry.	Shivers.
Moore.	Van Zandt.
Neal.	Westerfeld.
Oneal.	Woodruff.

Absent.

Davis.	Hopkins.
Hill.	Sulak.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

The motion to re-commit S. B. No. 147 lost by the following vote:

Yeas—12.

Beck.	Pace.
Collie.	Poage.
Cotten.	Shivers.
DeBerry.	Van Zandt.
Moore.	Westerfeld.
Oneal.	Woodruff.

Nays—12.

Blackert.	Rawlings.
Burns.	Redditt.
Duggan.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Neal.	Stone.

Absent.

Davis.	Hopkins.
Hill.	Sulak.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

The Chair voting "nay" on motion to re-commit.

S. J. R. No. 9.

Pending business was S. J. R. No. 9.

S. J. R. No. 9 was read the second time as amended and passed to engrossment by the following vote:

Yeas—22.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Small.
Duggan.	Sulak.
Hill.	Van Zandt.
Hornsby.	Westerfeld.
Neal.	Woodruff.

Nays—5.

Holbrook.	Shivers.
Moore.	Stone.
Redditt.	

Absent.

Hopkins.

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

On motion of Senator Oneal the Senate Rule requiring joint resolutions to be read on three several days was suspended and S. J. R. No. 9 was put on its third reading and final passage by unanimous consent.

Read third time as amended, and finally passed by the following vote:

Yeas—21.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Regan.
Davis.	Sanderford.
DeBerry.	Small.
Duggan.	Van Zandt.
Hill.	Westerfeld.
Hornsby.	Woodruff.
Neal.	

Nays—5.

Holbrook.	Shivers.
Moore.	Stone.
Redditt.	

Absent.

Hopkins.	Sulak.
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Absent—Excused.

Fellbaum. Martin.
Hughston.

S. J. R. No. 18.

The Chair laid before the Senate on its second reading the following joint resolution:

By Senator Cotten:

S. J. R. No. 18, A joint resolution "Proposing an amendment to Section 48, Article III of the Constitution of the State of Texas, authorizing the establishment of Teachers' Retirement Systems, and making an appropriation for the election."

Senator Oneal sent up the following amendment:

Amend S. J. R. No. 18 by striking out all of Section one and inserting in lieu thereof:

Section 1. That Article III of the Constitution of the State of Texas be amended by adding thereto immediately after Section 48 a section to be known as Section 48a, and to read as follows:

"Sec. 48a. In addition to the purposes for which the Legislature is given, under Section 48 of Article III, the power and right to levy taxes and impose burdens upon the people, the Legislature may by general statutes provide for retirement of persons employed in public schools and in colleges and universities as teachers or instructors, supported wholly or partly by the State; but the amount provided by the State for such purpose shall never exceed the amount provided for the same purpose from the income of the persons retired from such employment, and shall in no event ever exceed five per centum of the compensation paid by the State to such persons during the period such law is effective prior to the retirement of any such person."

ONEAL.

Read and failed of adoption by the following vote:

Yeas—11.

Blackert. Oneal.
Collie. Poage.
DeBerry. Regan.
Hill. Westerfeld.
Holbrook. Woodruff.
Neal.

Nays—14.

Beck. Davis.
Burns. Hornsby.
Cotten. Moore.

Pace.
Rawlings.
Redditt.
Sanderford.

Shivers.
Stone.
Sulak.
Van Zandt.

Absent.

Duggan. Small.
Hopkins.

Absent—Excused.

Fellbaum. Martin.
Hughston.

Senator Poage sent up the following amendment:

Amend S. J. R. No. 18 by striking out all of Section one and inserting in lieu thereof:

Section 1. That Article III of the Constitution of the State of Texas be amended by adding thereto immediately after Section 48 a section to be known as Section 48a, and to read as follows:

"Sec. 48a. In addition to the purposes for which the Legislature is given, under Section 48 of Article III, the power and right to levy taxes and impose burdens upon the people, the Legislature may by general statutes provide for retirement of persons employed in public schools and in colleges and universities supported wholly or partly by the State; but the amount provided by the State for such purpose shall never exceed the amount provided for the same purpose from the income of the persons retired from such employment, and shall in no event ever exceed five per centum of the compensation paid by the State to such persons during the period such law is effective prior to the retirement of any such person."

POAGE,
COTTEN,
ONEAL.

Read and pending.

Senator Hill sent up the following substitute for the amendment:

Amend S. J. R. No. 18 by adding after the word "State" on line 24 the following:

"and all persons over sixty-five (65) years of age, who shall have pursued the vocations of farming and/or stock raising for a period in excess of twenty-five years to minister of the Gospel and Jewish rabbis over sixty-five (65) years of age who shall have pursued their professions in Texas for twenty-five (25) years; and for

the support of widows over sixty-five (65) years of age."

HILL.

Read.

Point of Order.

Senator Van Zandt raised the point of order that the substitute was not germane to the resolution.

The Chair overruled the point of order.

The substitute by Senator Hill to S. J. R. No. 18, pending.

Motion to Recess.

Senator Hopkins, at 5 o'clock p. m., moved that the Senate recess until 10 o'clock a. m., Tuesday.

Pending.

Senate Bill No. 468.

Senator Shivers received unanimous consent to introduce a local bill.

By Senator Shivers (by request):

S. B. No. 468, A bill to be entitled "An Act fixing the fees and salary of the official shorthand reporter of the County Court of Jefferson County at Law, Jefferson County, Texas, and providing the manner of payment, and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

Messages From the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives, Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on S. B. No. 460 by a vote of 106 yeas and 0 nays.

Respectfully submitted,

A. C. DUNN, Acting Chief Clerk, House of Representatives.

Hall of the House of Representatives, Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 438, A bill to be entitled "An Act prescribing the fees required of and paid by candidates in primary elections for State Senators and State Representatives in certain counties, and repealing all laws in conflict herewith, and declaring an emergency."

(With engrossed rider.)

H. B. No. 227, A bill to be entitled "An Act defining common carrier pipe lines engaged, or to engage, in the transportation of natural gas; declaring all corporations, persons, partnerships, or associations of persons, now engaged, or to hereafter engage, in transporting natural gas from place to place in this State to be common carriers; declaring such common carriers to be public utilities and making them subject to the provisions of this Act; giving the Railroad Commission of Texas the power to regulate the rate of such transportation by such common carriers; granting them the right to establish, maintain and operate telegraph and telephone lines upon their rights of way in connection with their business, and to build and maintain their lines under and across or along streams, highways and streets as other common carriers within this State; and providing against discrimination in favor of or against individuals, associations of persons, municipal corporations, or corporations in the conduct of their business; requiring them to exchange tonnage with other common carriers, and to receive and transport natural gas tendered to them for transportation, etc., and declaring an emergency."

Respectfully submitted,

A. C. DUNN, Acting, Chief Clerk, House of Representatives.

Bills and Resolutions Referred.

H. B. No. 13 was referred to the Committee on Educational Affairs.

H. B. No. 14 was referred to the Committee on Educational Affairs.

H. B. No. 101 was referred to the Committee on Game and Fish.

H. B. No. 164 was referred to the Committee on State Affairs.

H. B. No. 251 was referred to the Committee on Educational Affairs.

H. B. No. 294 was referred to the Committee on Game and Fish.

H. B. No. 319 was referred to the Committee on State Highways and Motor Traffic.

H. B. No. 340 was referred to the Committee on Towns and City Corporations.

H. B. No. 341 was referred to the Committee on Game and Fish.

H. B. No. 344 was referred to the Committee on Counties and County Boundaries.

H. B. No. 349 was referred to the Committee on State Affairs.

H. B. No. 356 was referred to the Committee on Public Health.

H. B. No. 375 was referred to the Committee on Game and Fish.

H. B. No. 385 was referred to the Committee on Game and Fish.

H. B. No. 386 was referred to the Committee on Game and Fish.

H. B. No. 388 was referred to the Committee on Game and Fish.

H. B. No. 402 was referred to the Committee on Game and Fish.

H. B. No. 406 was referred to the Committee on Game and Fish.

H. B. No. 423 was referred to the Committee on Game and Fish.

H. B. No. 426 was referred to the Committee on Game and Fish.

H. B. No. 469 was referred to the Committee on Judicial Districts.

H. B. No. 456 was referred to the Committee on Civil Jurisprudence.

H. B. No. 475 was referred to the Committee on Educational Affairs.

H. B. No. 504 was referred to the Committee on State Affairs.

H. B. No. 507 was referred to the Committee on Federal Relations.

H. B. No. 556 was referred to the Committee on Civil Jurisprudence.

H. B. No. 569 was referred to the Committee on Counties and County Boundaries.

H. B. No. 577 was referred to the Committee on Stock and Stockraising.

H. B. No. 579 was referred to the Committee on Game and Fish.

H. B. No. 584 was referred to the Committee on State Highways and Motor Traffic.

H. B. No. 593 was referred to the Committee on State Affairs.

H. B. No. 685 was referred to the Committee on Mining, Irrigation and Drainage.

H. B. No. 692 was referred to the Committee on Game and Fish.

H. B. No. 697 was referred to the Committee on State Affairs.

H. B. No. 712 was referred to the Committee on Game and Fish.

H. B. No. 723 was referred to the Committee on Educational Affairs.

H. C. R. No. 27 was referred to the Committee on Agriculture.

H. C. R. No. 60 was referred to the Committee on State Highways and Motor Traffic.

H. C. R. No. 61 was referred to the Committee on State Affairs.

H. C. R. No. 63 was referred to the Committee on State Highways and Motor Traffic.

H. B. No. 753 was referred to the Committee on Game and Fish.

H. B. No. 754 was referred to the Committee on Game and Fish.

H. B. No. 771 was referred to the Committee on Game and Fish.

H. B. No. 778 was referred to the Committee on Game and Fish.

H. B. No. 791 was referred to the Committee on Game and Fish.

H. B. No. 818 was referred to the Committee on Game and Fish.

H. B. No. 227 was referred to the Committee on State Affairs.

H. B. No. 438 was referred to the Committee on Representative Districts.

Substitute Motion to Recess.

Senator Collie moved as a substitute that the Senate recess until 8 o'clock tonight.

Pending.

House Bill No. 11.

Senator Rawlings received unanimous consent to send up and have printed in the Journal an amendment to H. B. No. 11.

Amend H. B. No. 11 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. That the sum of Three Million Five Hundred and Fifty Thousand (\$3,550,000) Dollars be and the same is hereby appropriated out of the general revenue fund of the State of Texas not otherwise appropriated, to be expended for the purpose of conducting celebrations commemorating the heroic period of early Texas history, and celebrating a century of the independence and progress of Texas as a Republic and State, and for the other purposes incident thereto as herein provided. Said celebrations are to be held during the period beginning February 1, 1935, and ending December 31, 1936. The funds thus appropriated are allocated as follows:

Item Number One.

(1) The sum of One Million Two Hundred and Fifty (\$1,250,000)

Dollars, or so much thereof as may be necessary, shall be used for the purpose of erecting exposition buildings upon the site of the Centennial Central Exposition in the City of Dallas. Out of the funds thus allocated to the Central Exposition to be held in the City of Dallas, the Centennial Commission may, within its discretion, use not to exceed the sum of Three Hundred Thousand (\$300,000) Dollars to supplement local and/or facilities for the purpose of conducting a pageant or show depicting the growth and development of the livestock industry, and re-enacting the historical events in connection with the growth and development of such industry, provided said sum of Three Hundred Thousand (\$300,000) Dollars is adequately matched by funds or appropriate facilities by the community proposing to hold such celebration.

(2) In no event shall the funds provided for under this item be available unless and until the Texas Centennial Commission, through its executive committee, has filed with the Comptroller of the State of Texas a resolution approving the plans of the Texas Centennial Central Exposition for the celebration at Dallas, and certifying further that said Central Exposition has the ability and intention and good faith to carry out the plans.

(3) In the employment of laborers and artisans in the construction of such buildings, the Centennial Commission shall provide that the work shall be done with Texas labor and materials, as far as practicable, and that the other cities of Texas shall not be discriminated against in favor of Dallas. On all buildings and projects constructed with funds appropriated by this Act, the provisions of Chapter 45, Acts of the Regular Session of the Forty-third Legislature, shall apply to wages paid.

(4) All permanent exposition buildings to be erected in the City of Dallas for the Central Exposition shall be paid for out of the funds herein authorized, and shall be upon the site of the Centennial Central Exposition in the City of Dallas on land the title of which shall be in the State of Texas. The Texas Centennial Commission shall have the right to, possession of, and the free use and occupancy of said buildings for the duration of the Centennial Exposition, provided, however, that the aforesaid buildings and the land on

which they will be situated are hereby leased by the State of Texas to the City of Dallas for a period of twenty years commencing at the termination of the Central Exposition, at a rental of One Hundred (\$100) Dollars per year for each of said buildings, said rental to be payable annually in advance. During the term of such lease, said buildings shall be used for public purposes, including annual State expositions, and shall not be maintained or operated for purposes of private gain or profit; there shall be no charge imposed upon any exhibitor in any of said buildings for exhibit space, and there shall be no admission charge for spectators. The cost of an adequate amount of fire and tornado insurance covering said buildings, and the reasonable cost of maintenance of said buildings, shall be paid by the Texas Centennial Central Exposition until the termination of said Central Exposition. From and after that date, the cost of such insurance and maintenance shall be paid by the aforesaid lessee, the City of Dallas.

(5) Out of the first gross receipts reported to or received by the Texas Centennial Commission, ten per cent shall be set aside to reimburse the State of Texas for the One Hundred Thousand (\$100,000) Dollars appropriation provided for in the Acts of the Second Called Session of the Forty-third Legislature, Chapter 69, page 164.

(6) Fifty per cent of the net receipts received from all sources by the Texas Centennial Central Exposition at Dallas, after paying all of the debts of said Exposition, including the corporation bond issue, which shall never exceed Two Million Five Hundred Thousand (\$2,500,000) Dollars as is now provided in the corporation's trust indenture, shall be paid into the Treasury of the State of Texas for the benefit of the general fund, said payment to be made within six months after the official closing of the Central Exposition at Dallas. By net receipts is meant all profits arising from admissions, concessions, privileges, rentals, leases, and any and all other sources from which any funds may be derived. The said Centennial Central Exposition shall keep an accurate record of all receipts received as a result of said Centennial celebration, and of all expenditures, and within six months after the official closing of said Exposition, said corporation

shall cause to be furnished and filed with the Treasurer of the State of Texas a certified audit showing the complete condition of the affairs of said corporation; the said report shall be accompanied by a certified check in an amount equal to fifty per cent of the net profits.

Item Number Two.

(1) The sum of Two Hundred Fifty Thousand (\$250,000) Dollars, or so much thereof as may be necessary, may be used to equip and furnish such buildings.

Item Number Three.

(1) The sum of One Million (\$1,000,000) Dollars, or so much thereof as may be necessary, shall be used by the Texas Centennial Commission to defray the expenses, or the portion thereof above the amount of local funds contributed, of Centennial celebrations, as that term is hereinafter broadly defined, outside of the City of Dallas and within the State of Texas. Out of this allocation, the Centennial Commission is hereby directed to spend an appropriate amount for the purpose of erecting at some suitable place in Texas, to be selected by the Commission, a memorial to the pioneer womanhood of this State.

(2) Centennial celebrations may be held at such places (including the places designated in the Acts of the Second Called Session of the Forty-third Legislature, Chapter 69, page 164) as said Texas Centennial Commission may determine; the authority to make such determination being hereby delegated to said Commission. Said Commission, in passing upon the application of any locality for a celebration, shall take into consideration whether such locality has such historical, commercial, or industrial significance as will justify the holding of such celebration, and, also, such locality's accessibility and local facilities and financial ability to contribute local funds. Within the term "celebration" as used in this Act with reference to all places herein named, except the City of Dallas, is included the following: The placing of suitable markers at places where historical events occurred; the restoring at no great expense of all or parts of old houses, forts, and other old structures connected with the history of the territory now embraced within the State of Texas; the placing of monuments to early patriots of Texas, if monuments have not

heretofore been erected; the purchasing at no great expense of small tracts of land where necessary for the restorations hereinbefore mentioned, or upon which monuments should be placed; and the staging of pageants at appropriate places; also, rodeo or wild west show, and livestock exposition. Providing that in the matter of pageants, the Texas Centennial Commission may require a contribution by each local community which may be substantial and proportionate to the amount allowed by the Commission; provided that in the matter of pageants, rodeos, wild west shows, and livestock expositions, the Centennial Commission may take into consideration the amount already expended by each local community in preserving its historical spots, and providing the facilities for the operation of a rodeo or wild west show, and conducting livestock expositions. Provided, however, that the Commission shall not have authority to compel contributions or the matching of funds for historical celebrations and markings in counties containing no city of more than twenty-five thousand (25,000) population. Provided further, however, that the Commission may accept contributions from any such communities.

(3) There is hereby created an Advisory Board of Texas Historians to be selected by the Texas Centennial Commission consisting of three (3) members, whose duty it shall be to investigate and report upon and make recommendations to the Texas Centennial Commission as to the authenticity of the claims for Centennial celebrations, as that term is hereinbefore defined, of the various places which shall apply to said Commission therefor, and as to the relative merits of such claims, and as to the kind and character of celebration, as that term is hereinbefore defined, if any, to which each such place so applying should be entitled, and as to the advisability of all the various expenditures proposed by said applicant or contemplated by said Texas Centennial Commission and referred by it to said Advisory Board for investigation and recommendation. In all cases, the Texas Centennial Commission shall have final decision and jurisdiction in the matter of the above celebrations and observances and the expenditures relative thereto. The Centennial Commission and the Advisory Board of Texas Historians must seek the advice and co-opera-

tion of the local Centennial Advisory Board in any county applying for recognition.

Item Number Four.

(1) The sum of Fifty Thousand (\$50,000) Dollars, or so much thereof as may be necessary, shall be used for the purpose of having written authoritative histories of Texas and a "Dictionary of Texas Biography," said Fifty Thousand (\$50,000) Dollars to be expended under the direction of the Texas Centennial Commission, and according to the rules and regulations promulgated by said Commission.

Item Number Five.

(1) The sum of Seven Hundred Fifty Thousand (\$750,000) Dollars, or so much thereof as may be necessary, shall be used by the Texas Centennial Commission to pay all general administrative expenses, and to conduct and finance a nationwide publicity campaign in behalf of all Texas relative to said Centennial during the period beginning February 1, 1935, and ending December 31, 1936. Provided, however, that not more than ten per cent of said Seven Hundred Fifty Thousand (\$750,000) Dollars shall be used for direct administrative expenses, the balance to be used for advertising of the Texas Centennial.

(2) No part of the funds appropriated under this item shall be expended for salary or expenses, directly or indirectly, for envoys outside of continental North America.

Item Number Six.

(1) The sum of Two Hundred Fifty Thousand (\$250,000) Dollars or so much thereof as may be necessary, shall be expended in equipping and furnishing and in securing exhibits for a museum to be known as "The Texas Memorial Museum." Funds for the construction of the museum are to be donated by individuals, public and private agencies, and by the American Legion Texas Centennial Committee of the State of Texas as sponsors, the construction of the museum building to cost Seven Hundred Fifty Thousand (\$750,000) Dollars when completed.

(2) Said museum building is to be located on the campus of the University of Texas in the City of

Austin, and the Board of Regents of the University of Texas is hereby constituted the Board of Directors of the museum, and, as such, shall have complete authority over the museum, including the expenditure of the sum herein appropriated and allocated for the purposes mentioned. Provided, however, this expenditure shall be on vouchers properly approved by the Chairman of the Board of Regents and attested by the Secretary of said Board, and shall be in accordance with the general provisions of law covering the issuance and payment of vouchers by the Comptroller and Treasurer, respectively, of the State of Texas.

General Provisions.

(1) No person working or serving in any capacity under the direction or supervision of the Centennial Commission shall receive as salary, commission, or compensation out of State funds more than Five Thousand (\$5,000) Dollars per year.

(2) No part of any one of said funds as herein allocated shall at any time be used for the purpose of any other one or more of said funds. Provided that in no event shall more than One Million Two Hundred Fifty Thousand (\$1,250,000) Dollars be expended for the erection of and/or equipment of buildings upon the site of the Centennial Central Exposition in the City of Dallas.

(3) The Centennial Commission and the Board of Control are hereby prohibited from contracting for the purchase or acquirement by lease or otherwise of real estate unless and until the deeds, records, and all other necessary legal documents incident thereto have been approved by the Attorney General of the State of Texas, as now provided by law.

(4) All contracts for construction and equipment involving the expenditure of as much as Fifty Thousand (\$50,000) Dollars or more of the moneys herein appropriated shall be let by the Board of Control of the State of Texas according to all legal requirements now provided as to the letting of contracts by said Board.

(5) All funds expended under this Act shall be drawn from the Treasury of the State of Texas by warrants properly signed by the Comptroller of Public Accounts and

the Treasurer of the State, as is now provided by law.

Sec. 2. It shall be unlawful for any member of the Centennial Commission or any member of the Centennial Commission Advisory Board to charge, receive, or obtain, directly or indirectly, any fee, commission, retainer, or brokerage, out of any fund or funds received by the Centennial Commission; and no member of the Centennial Commission or the Centennial Commission Advisory Board shall have any interest in any land, materials, concessions, or contracts sold to or made with either the Centennial Commission or the Centennial Commission Advisory Board or any individual or committee represented by any member of said Commission or Advisory Board. Violation of this provision shall be a misdemeanor, and the violation thereof shall be punishable by removal from such Commission or Advisory Board, and by fine of not more than One Hundred (\$100) Dollars or not to exceed six (6) months confinement in jail or by both such fine and jail sentence.

Sec. 3. It is understood and expressly provided that should any section, clause, or provision of this Act be hereafter held invalid for any reason, such invalidity shall not in any way affect any other provision of this Act.

Sec. 4. The fact that a very brief time now remains for said Texas Centennial Commission to prepare for the holding of a Texas Centennial celebration of a scale commensurate with the glorious history of our State, the patriotism of our people, and the progress of the past century, creates an emergency and an imperative public necessity that the Constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

RAWLINGS.

Recess.

The motion to recess until 10 a. m. Tuesday prevailed by viva voce vote.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 22 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 26 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Representative Districts, to whom was referred

H. B. No. 438, A bill to be entitled "An Act prescribing the fees required of and paid by candidates in primary elections for State Senators and State Representatives in certain counties; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 5, Being the \$3000 homestead exemption amendment,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached Committee Substitute to H. J. R. No. 5 do pass, and that it be printed in bill form.

BLACKERT, Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

H. B. No. 685, A bill to be entitled "An Act providing for the extension of the Rio Grande Compact, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

REGAN, Chairman.

Committee Room,

Austin, Texas, March 20, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 22, A joint resolution "Proposing an amendment to Section 1 of Article VIII of the Constitution of Texas by adding thereto a subsection to be known as Section 1-a of Article VIII, and providing for the limiting of the total amount of taxes assessed against property for all purposes in any one year to an amount not exceeding one (1%) per cent of the assessed valuation of such property; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached committee substitute, as amended, do pass and that it be printed in bill form.

BLACKERT, Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. C. R. No. 27, A concurrent resolution "Resolved by the Senate of Texas, the House concurring, That a legislative committee be appointed, composed of two members of the Senate, to be appointed by the Lieutenant-Governor, and two members of the House, to be appointed by the Speaker of the House of Representatives, to work with a duly authorized member of the State Board of Education, making plans and recommendations for a better and more adequate protection of the investments of the Permanent School Fund of this State and of the Public School Lands of this State, and, further, to make recommendations for revising the school laws of this State."

Have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass, and be printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 465, A bill to be entitled "An Act to provide that in all counties having a population of 350,000 or more, according to the last preceding Federal Census, upon petition of one hundred and fifty or more of the qualified voters of such county, the county judge of such county shall order an election for the purpose of submitting to the qualified voters of such county the question of whether or not a tax for school purposes not to exceed one cent on the one hundred dollars valuation of taxable property in such counties shall be levied, assessed and collected for an equalization fund for the purpose of equalizing educational opportunities in such counties, and for the payment of administration expenses; providing for the calling of such election upon the presentation of such petition to the county judge, for notices, for the holding thereof, canvassing the returns and declaring the results; providing for the levy, assessment and collection of such tax if authorized by such vote; authorizing the county school trustees in such counties to determine the rate of such tax within the limit of this Act and providing for the expenditure thereof; providing for the method of payment of the county superintendent's salary and his expenses, out of the equalization fund and providing for the establishment of said fund, and providing for the election of seven trustees and fixing their terms of office, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

DUGGAN, Chairman.

Committee Room,

Austin, Texas, March 25, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 402, A bill to be entitled "An Act declaring it unlawful for any person to sell, take or have in his possession for barter or sale after the passage of this Act, for a period of five (5) years, any wild fox or the pelts thereof in the County of Houston, State of Texas, and providing a penalty therefor."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SHIVERS, Chairman.

FORTY-SECOND DAY (Continued).

Senate Chamber,
Austin, Texas,
March 26, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

S. J. R. No. 18.

Pending business was the substitute amendment by Senator Hill for the amendment offered by Senator Poage to S. J. R. No. 18.

Point of Order.

Senator Hill raised the point of "no quorum."

A roll call was ordered.

The roll call disclosed a quorum present.

S. J. R. No. 18.

Senator Hill moved the adoption of the substitute amendment to S. J. R. No. 18.

Motion to Table.

Senator Cotten moved to table the substitute amendment by Senator Hill.

The motion to table prevailed by the following vote:

Yeas—20.

Beck.	Rawlings.
Collie.	Redditt.
Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Shivers.
Hornsby.	Stone.
Moore.	Sulak.
Neal.	Van Zandt.
Oneal.	Westerfeld.
Pace.	Woodruff.

Nays—5.

Blackert.	Hill.
Burns.	Holbrook.
DeBerry.	

Absent.

Hopkins.	Small.
Poage.	

Absent—Excused.

Fellbaum.	Martin.
Hughston.	

Senator Oneal sent up the following amendment:

Amend S. J. R. No. 18, as amended, by adding at the end of Section One thereof the following:

"and shall in no one year exceed the sum of One Hundred and Fifty (\$150.00) Dollars for any such person."

ONEAL.

Read.

Motion to Table.

Senator Cotten moved to table the amendment by Senator Oneal.

The motion prevailed by the following vote:

Yeas—13.

Beck.	Regan.
Cotten.	Sanderford.
Hornsby.	Shivers.
Moore.	Stone.
Pace.	Sulak.
Rawlings.	Van Zandt.
Redditt.	

Nays—13.

Blackert.	Holbrook.
Burns.	Neal.
Collie.	Oneal.
Davis.	Poage.
DeBerry.	Westerfeld.
Duggan.	Woodruff.
Hill.	

Absent.

Hopkins.	Small.
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Absent—Excused.

Fellbaum.	Martin.
Hughston.	

The Chair voted "aye" to table.

The question recurred on the adoption of the amendment by Senator Poage.